

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA  
No. 1:08-cv-119**

---

**EDWARD CARRINGTON, et al.,**

**Plaintiffs,**

**v.**

**DUKE UNIVERSITY, et al.,**

**Defendants.**

---

**NOTICE OF SPECIAL APPEARANCE**

Pursuant to Local Rule 83.1(d), please take notice of the special appearance of David M. Lehn of Cooper & Kirk, PLLC as counsel of record for the Plaintiffs in the above-captioned civil action.

Mr. Lehn certifies that he is an active member in good standing of the bars of the District of Columbia and the State of New York. Mr. Lehn further certifies that he understands that by entering an appearance he submits to the disciplinary jurisdiction of the court or any misconduct in connection with the above-captioned civil action for which he is specially appearing and that he will ensure that an attorney who is familiar with the case and has authority to control the litigation will be at all conferences, hearings, trials and other proceedings.

November 14, 2008

Respectfully submitted,

**COOPER & KIRK, PLLC**

By: /s/ David M. Lehn  
David M. Lehn  
1523 New Hampshire Avenue, NW  
Washington, DC 20036  
Tel. (202) 220-9600  
Email: dlehn@cooperkirk.com

/s/ Nicole Jo Moss  
Charles J. Cooper\*  
David H. Thompson\*  
Nicole Jo Moss (N.C. Bar # 31958)  
1523 New Hampshire Avenue, NW  
Washington, DC 20036  
Tel. (202) 220-9600  
Email: ccooper@cooperkirk.com  
Email: nmoss@cooperkirk.com

*Attorneys for Plaintiffs*

(\* motion for special appearance  
has been filed)

-and-

**THOMAS, FERGUSON & MULLINS, L.L.P.**

By: /s/ William J. Thomas  
William J. Thomas, II (N.C. Bar # 9004)  
119 East Main Street  
Durham, NC 27701  
Tel. (919) 682-5648  
Email: thomas@tfmattorneys.com

## **CERTIFICATE OF SERVICE**

I hereby certify that on November 14, 2008, I electronically filed the foregoing Notice of Special Appearance with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following counsel:

### **TROUTMAN SANDERS LLP**

Patricia P. Kerner

N.C. State Bar No. 13005

Hannah Gray Styron

D. Martin Warf

434 Fayetteville Street, Suite 1900

Raleigh, North Carolina 27601

Phone: (919) 835-4117

Fax: (919) 829-8714

Email: tricia.kerner@troutmansanders.com

Email: hannah.styron@troutmansanders.com

Email: martin.warf@troutmansanders.com

***Counsel for Defendants Steven Chalmers,  
Patrick Baker, Beverly Council, Ronald  
Hodge, Jeff Lamb, Stephen Mihaich, Michael  
Ripberger, and Lee Russ***

### **FAISON & GILLESPIE**

Reginald B. Gillespie, Jr.

N.C. State Bar No. 10895

5517 Durham Chapel Hill Boulevard

Suite 2000

Durham, North Carolina 27727-1729

Phone: (919) 489-9001

Fax: (919) 489-5774

Email: rgillespie@faison-gillespie.com

***Counsel for Defendants City of Durham, North  
Carolina and Steven Chalmers***

**STEPTOE & JOHNSON LLP**

Roger E. Warin\*

Steptoe & Johnson LLP

1330 Connecticut Avenue, NW

Washington, DC 20036

Telephone: (202) 429-3000

Fax: (202) 429-3902

Email: rwarin@steptoe.com

\*(Motion for Special Appearance to be filed)

***Counsel for Defendant City of Durham, North  
Carolina***

**ELLIS & WINTERS LLP**

J. Donald Cowan, Jr.

N.C. State Bar No. 0968

Dixie T. Wells

N.C. State Bar No. 26816

P.O. Box 21927 [27420]

100 N. Greene Street, Suite 102

Greensboro, North Carolina 27401

Phone: (336) 217-4197

Fax: (336) 217-4198

Email: don.cowan@elliswinters.com

Email: dixie.wells@elliswinters.com

**WILMER CUTLER PICKERING HALE AND  
DORR LLP**

Jamie Gorelick\*

D.C. Bar No. 101370

Jennifer M. O'Connor

William F. Lee

Paul R.Q. Wolfson

1875 Pennsylvania Avenue, NW

Washington, DC 20006

Telephone: (202) 663-6500

Facsimile: (202) 663-6363

Email: Jamie.gorelick@wilmerhale.com

Email: Jennifer.oconnor@wilmerhale.com

Email: William.lee@wilmerhale.com

Email: Paul.Wolfson@wilmerhale.com

*Counsel for Defendants Duke University, Aaron  
Graves, Robert Dean, Richard H. Brodhead, Peter  
Lange, Tallman Trask, III, John Burness, Larry  
Moneta, Victor J. Dzau, M.D., Allison Halton, Kemel  
Dawkins, Suzanne Wasiolek, Matthew Drummond,*

*Counsel for Duke University Health Systems, Inc.,  
Theresa Arico, and Tara Levicy*

(\*motion for special appearance filed)

**YATES, McLAMB & WEYHER, L.L.P**

Dan Johnson McLamb

N.C. State Bar No. 6272

T. Carlton Younger, III

Shirley Marring Pruitt

POB 2889

RALEIGH, NC 27602-2889

919-835-0900

Fax: 919-835-0910

Email: dmclamb@ymwlaw.com

Email: cyounger@ymwlaw.com

Email: spruitt@ymwlaw.com

*Counsel for Duke University Health Systems, Inc.,  
Theresa Arico, and Tara Levicy*

**POYNER & SPRUILL LLP**

Edwin M. Speas, Jr.  
N.C. State Bar No. 4112  
P.O. Box 1801  
Raleigh, North Carolina 27602-1801  
Phone: (919) 783-6400  
Fax: (919) 783-1075  
Email: [espeas@poynerspruill.com](mailto:espeas@poynerspruill.com)  
*Counsel for Defendant Mark Gottlieb*

**KENNON, CRAVER, BELO, CRAIG & MCKEE,  
PLLC**

Joel M. Craig  
N.C. State Bar No. 9179  
Henry W. Sappenfield  
P.O. Box 51579  
4011 University Drive, Suite 300  
Durham, North Carolina 27717-1579  
Phone: (919) 490-0500  
Fax: (919) 490-0873  
Email: [jcraig@kennoncraver.com](mailto:jcraig@kennoncraver.com)  
Email: [hsappenfield@kennoncraver.com](mailto:hsappenfield@kennoncraver.com)  
*Counsel for Defendant Benjamin Himan*

**MAXWELL FREEMAN & BOWMAN, P.A.**

James B. Maxwell  
N.C. State Bar No. 2933  
P.O. Box 52396  
Raleigh, North Carolina 27717-2396  
Phone: (919) 493-6464  
Fax: (919) 493-1218  
Email: [jmaxwell@mfbpa.com](mailto:jmaxwell@mfbpa.com)  
*Counsel for Defendant David Addison*

**PINTO COATES KYRE & BROWN, PLLC**

Kenneth Kyre Jr. (N.C. Bar # 7848)  
Paul D. Coates (N.C. Bar # 9753)  
P.O. Box 4848  
Greensboro, NC 27404  
Email: [kkyre@pckb-law.com](mailto:kkyre@pckb-law.com)  
Email: [pcoates@pckb-law.com](mailto:pcoates@pckb-law.com)  
*Counsel for J. Wesley Covington*

Linwood Wilson, *Pro Se*  
6910 Innesbrook Way  
Bahama, NC 27503-9700  
Email: linwoodw@aol.com

/s/ Nicole Jo Moss